



Bill No. 084

BY-LAW NUMBER 2013-

A By-law of The Corporation of the City of Barrie to amend By-law 2009-141, a land use control by-law to regulate the use of land, and the erection, use, bulk, height, location and spacing of buildings and structures in the City of Barrie.

WHEREAS the Council of The Corporation of the City of Barrie deems it expedient to amend By-law 2009-141 to rezone Parcel 2-1, Section 51-67, Park Lots 2 & 3, Part of Park Lots 4 & 5, Plan 67, Part of the North half of Lot 7, Concession 13, Innisfil, being Parts 1, 2 & 3 on Plan 51R-22881, City of Barrie, County of Simcoe, municipally known as 300 Essa Road from Service Industrial (EM3) to Residential Apartment Dwelling Second Density (RA2-2) (SP-482) (H-121) and Environmental Protection (EP);

AND WHEREAS the Council of The Corporation of the City of Barrie adopted Motion 13-G-041.

NOW THEREFORE the Council of The Corporation of the City of Barrie enacts the following:

1. **THAT** the zoning map is amended to change the zoning of Parcel 2-1, Section 51-67, Park Lots 2 & 3, Part of Park Lots 4 & 5, Plan 67, Part of the North half of Lot 7, Concession 13, Innisfil, being Parts 1, 2 & 3 on Plan 51R-22881, City of Barrie, County of Simcoe, municipally known as 300 Essa Road from Service Industrial (EM3) to Residential Apartment Dwelling Second Density (RA2-2) (SP-482) (H-121) and Environmental Protection (EP) in accordance with Schedule "A" attached to this By-law being a portion of the zoning map.
2. **THAT** notwithstanding the provisions set out in Section 5.2.1 of By-law 2009-141, block, cluster, street and stacked townhouse dwelling units shall be permitted in the Residential Apartment Dwelling Second Density (RA2-2) (SP-482) (H-121) zone.
3. **THAT** notwithstanding the provisions set out in Section 5.2.5 of By-law 2009-141, a minimum density of 50 units per hectare and a maximum density of 139 units per hectare shall be required in the Residential Apartment Dwelling Second Density (RA2-2) (SP-482) (H-121) zone.
4. **THAT** notwithstanding the provisions set out in Section 5.2.5 of By-law 2009-141, a maximum of 413 residential units shall be permitted in the Residential Apartment Dwelling Second Density (RA2-2) (SP-482) (H-121) zone.
5. **THAT** notwithstanding the provisions set out in Section 5.3.2 of By-law 2009-141, a maximum of two 12 storey apartment buildings each containing a maximum of 118 residential units with a maximum height of 39 metres shall be permitted in the Residential Apartment Dwelling Second Density (RA2-2) (SP-482) (H-121) zone.
6. **THAT** notwithstanding the provisions set out in Section 5.3.2 of By-law 2009-141, a maximum of one 8 storey apartment building containing a maximum of 95 residential units with a maximum height of 26 metres shall be permitted in the Residential Apartment Dwelling Second Density (RA2-2) (SP-482) (H-121) zone.
7. **THAT** notwithstanding the provisions set out in Section 5.3.2 of By-law 2009-141, a maximum of one 4 storey apartment building containing a maximum of 54 residential units with a maximum height of 15 metres shall be permitted in the Residential Apartment Dwelling Second Density (RA2-2) (SP-482) (H-121) zone.
8. **THAT** notwithstanding the provisions set out in Section 5.2.1, Section 5.2.5 and Section 5.3.2 of By-law 2009-141, a maximum of 18 units in the form of stacked townhouses with a maximum height of 10 metres shall be permitted in the Residential Apartment Dwelling Second Density (RA2-2) (SP-482) (H-121) zone.
9. **THAT** notwithstanding the provisions set out in Section 5.2.1, Section 5.2.5 and Section 5.3.2 of By-law 2009-141, a maximum of 10 units in the form of street townhouses fronting on a private road with a maximum height of 10 metres shall be permitted in the Residential Apartment Dwelling Second Density (RA2-2) (SP-482) (H-121) zone.

10. **THAT** notwithstanding the provisions set out in Section 5.3.1 of By-law 2009-141, a minimum setback of 5 metres from all lands zoned Environmental Protection (EP) shall be required in the Residential Apartment Dwelling Second Density (RA2-2) (SP-482) (H-121) zone, unless a secondary means of access is provided, in which case a minimum setback of 7 metres shall be provided.
11. **THAT** notwithstanding the provisions set out in By-law 2009-141, all driveways accessing townhouse garages shall be a minimum length of 6 metres in the Residential Apartment Dwelling Second Density (RA2-2) (SP-482) (H-121) zone.
12. **THAT** the (H) symbol that appears on Schedule "A" attached hereto identifies a Holding Zone pursuant to Section 36 of the *Planning Act*, R.S.O. 1990,c.P.13. This indicates that the lands so zoned cannot be used for a purpose permitted by the Residential Apartment Dwelling Second Density (RA2-2) (SP-482) (H-121) zone until the (H) symbol is removed pursuant to Section 36 of the *Planning Act*. The (H) provision shall be lifted by The Corporation of the City of Barrie upon completion of the following matters to the satisfaction of The Corporation of the City of Barrie:
 - a) A site plan agreement for development of the site is executed with the City;
 - b) A 3 metre road widening along the Essa Road frontage is dedicated to the City of Barrie;
 - c) All applicable City of Barrie and local improvements charges are paid;
 - d) A binding commitment to construct a public open space trail network on the adjacent Environmental Protection (EP) lands in accordance with a funding and construction plan approved by the City and the Lake Simcoe Regional Conservation Authority.
 - e) The adjacent Environmental Protection (EP) lands are dedicated to the City of Barrie.
13. **THAT** the remaining provisions of By-law 2009-141, as amended from time to time, applicable to the above described lands as shown in Schedule "A" to this By-law shall apply to the said lands except as varied by this By-law.
14. **THAT** this By-law shall come into force and effect immediately upon the final passing thereof.

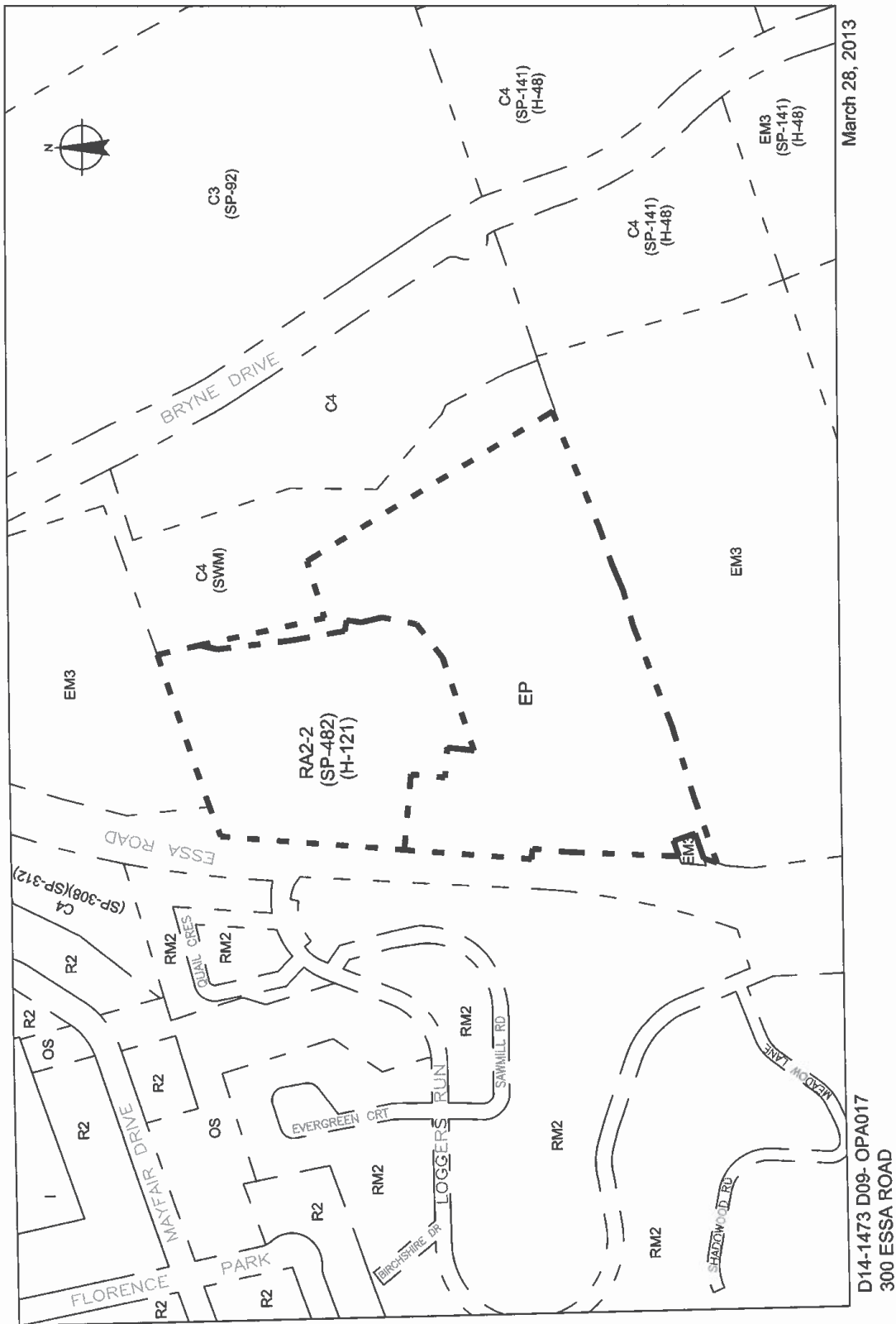
READ a first and second time this 29th day of April, 2013.

READ a third time and finally passed this 29th day of April, 2013.

THE CORPORATION OF THE CITY OF BARRIE

MAYOR – J.R. LEHMAN

CITY CLERK – DAWN A. MCALPINE



Schedule "A" to attached By-law 2013-

MAYOR - J.R. LEHMAN

CITY CLERK - DAWN A. MCALPINE